



ASSESSMENT OF SPACE NEEDS PROJECT

Youth Corrections in California

David Steinhart

Jeffrey A. Butts

research for safer communities

RESEARCH REPORT July 2002

PROGRAM ON
youth justice



URBAN INSTITUTE
Justice Policy Center

© 2002 The Urban Institute

This document was prepared under grant number 98-JB-VX-K004 from the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The Office of Juvenile Justice and Delinquency Prevention is a component of the U.S. Department of Justice's Office of Justice Programs, which also includes the Bureau of Justice Assistance, the Bureau of Justice Statistics, the National Institute of Justice, and the Office for Victims of Crime.

Points of view or opinions expressed in this document are those of the authors alone and do not necessarily represent the official position or policies of OJJDP, the U.S. Department of Justice, the Urban Institute, its board, or its sponsors.

Report design by David Williams

About the Assessment of Space Needs Project

This report was prepared as part of the Assessment of Space Needs Project, conducted by the Urban Institute of Washington, D.C. The project began with a request from the U.S. Congress. In a November 13, 1997 Conference Report for Public Law 105-119, Congress requested that the U.S. Department of Justice conduct a "national assessment of the supply and demand for juvenile detention space," including an assessment of detention and corrections space needs in 10 States. In particular, Congress expressed this concern:

The conferees are concerned that little data exists on the capacity of juvenile detention and corrections facilities to handle both existing and future needs and direct the Office of Justice Programs to conduct a national assessment of the supply of and demand for juvenile detention space with particular emphasis on capacity requirements in New Hampshire, Mississippi, Alaska, Wisconsin, California, Montana, West Virginia, Kentucky, Louisiana, and South Carolina, and to provide a report to the Committees on Appropriations of the House and the Senate by July 15, 1998 (U.S. House of Representatives 1997).

The U.S. Department of Justice's Office of Justice Programs (OJJDP) responded to this request by taking two actions. The first action was to submit the required report to Congress in July 1998 (see DOJ 1998). The report was prepared by OJJDP with assistance from the Urban Institute, the National Center for Juvenile Justice, the National Council on Crime and Delinquency, and the American University in Washington, D.C.

The second action taken by OJJDP was to fund a more extensive investigation of the issues raised by the report as part of the Juvenile Accountability Incentive Block Grants program. The investigation, known as the Assessment of Space Needs in Juvenile Detention and Corrections, was conducted by the Program on Youth Justice within the Urban Institute's Justice Policy Center. The project analyzed the factors that contribute to the demand for detention and corrections space in the states and the methods used by states to anticipate future demand. Products of the work included an Internet-based decision-making tool that state and local juvenile justice agencies may employ to forecast future detention and corrections populations (<http://jf.urban.org>). The *Assessment of Space Needs Project* was completed in March 2002.

The Urban Institute's approach to conducting the *Assessment of Space Needs Project* was guided by the comments and criticisms received from the project's advisors and consultants:

Advisory Committee

- Dr. Arnold Irvin Barnett, Massachusetts Institute of Technology
- Dr. Donna M. Bishop, Northeastern University
- Mr. Edward J. Loughran, Council of Juvenile Correctional Administrators
- Dr. James P. Lynch, American University
- Dr. Samuel L. Myers Jr., University of Minnesota
- Ms. Patricia Puritz, American Bar Association

Consultants

- Mr. Paul DeMuro, Independent Consultant, Montclair, New Jersey
- Dr. William J. Sabol, Case Western Reserve University
- Dr. Howard N. Snyder, National Center for Juvenile Justice
- Mr. David J. Steinhart, Independent Consultant, Mill Valley, California

For more information about the *Assessment of Space Needs Project*, see the web site of the Urban Institute's Program on Youth Justice at <http://youth.urban.org> or telephone the Urban Institute at 202-833-7200 or OJJDP at 202-307-5929.

About the Authors

David Steinhart is a California attorney specializing in juvenile justice policy and program development. He has worked on juvenile incarceration issues for more than twenty years—as a principal developer of juvenile detention criteria used in Los Angeles and other large California jurisdictions, as the principal draftsman of California legislation removing children from adult jails, and as the author of articles and reports on detention issues including two volumes in the “Pathways to Detention Reform” series published by the Annie E. Casey Foundation. Since 1992, Steinhart has served as Director of the Commonwealth Juvenile Justice Program, located in Marin County, California. Prior to that, he was Policy Director for the National Council on Crime and Delinquency.

Jeffrey A. Butts (Ph.D., University of Michigan) is the director of the Program on Youth Justice at the Urban Institute in Washington, D.C. He conducts research on policies and programs for youthful offenders, including recent projects on the impact of teen courts, juvenile drug courts, and the methods used by state and local governments to assess future demand for juvenile corrections space. Before joining the Urban Institute in 1997, he was a researcher at the National Center for Juvenile Justice in Pittsburgh. He began his juvenile justice career in 1980 as a drug counselor with the juvenile court in Eugene, Oregon.

About the Urban Institute

The Urban Institute is a nonprofit nonpartisan policy research and educational organization established in 1968 to examine the social, economic, and governance problems facing the nation. It provides information and analysis to public and private decisionmakers to help them address these challenges and strives to raise citizen understanding of these issues and trade-offs in policymaking.

About the Justice Policy Center

One of nine policy centers within the Urban Institute, the Justice Policy Center carries out nonpartisan research to inform the national dialogue on crime, justice, and community safety. Researchers in the Justice Policy Center collaborate with practitioners, public officials, and community groups to make the Center’s research useful to not only decisionmakers and agencies in the justice system, but also to the neighborhoods and communities harmed by crime and disorder.

About the Program on Youth Justice

This report was developed by the Urban Institute’s Program on Youth Justice, which identifies and evaluates programs and strategies for reducing youth crime, enhancing youth development, and strengthening communities. The Program on Youth Justice was established by the Urban Institute in 2002 to help policymakers and community leaders develop and test more effective, research-based strategies for combating youth crime and encouraging positive youth development.

Researchers associated with the Program on Youth Justice work to transcend traditional approaches to youth justice research by

- studying all youth, not just those legally defined as juveniles;
- considering outcomes for families, organizations, and communities as well as individuals;
- sharing insights across the justice system, including prevention programs, police, courts, corrections, and community organizations; and
- drawing upon the expertise of multiple disciplines, including the social and behavioral sciences as well as professional fields such as medicine, public health, policy studies, and the law.

Acknowledgments

This report was written by David Steinhart, consultant to the *Assessment of Space Needs Project* at the Urban Institute, and Dr. Jeffrey Butts, director of the project. The *Assessment of Space Needs Project* was funded by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) and is housed within the Urban Institute's Justice Policy Center and the Center's Program on Youth Justice. The original conceptualization of this and other reports from the *Assessment of Space Needs Project* was informed by discussions with members of the project's Advisory Committee and consultants, especially William Sabol, formerly of the Urban Institute, and Howard Snyder of the National Center for Juvenile Justice.

Development of the study and the products resulting from it benefited from significant contributions by a number of people within OJJDP, most importantly the project's program manager, Joseph Moone, who devised the original plan for the project and ensured that the staff received the support it needed for successful completion. Special thanks are also extended to J. Robert Flores, the current administrator, and William Woodruff, the current deputy administrator of OJJDP. The project is also grateful to the previous occupants of those positions within OJJDP, Shay Bilchik and John Wilson. Within OJJDP's Research and Program Development Division (RPDD), the project owes much to the director, Kathi Grasso; deputy director, Jeffrey Slowikowski; and the former director of RPDD, Betty Chemers.

Several current and former employees of the Urban Institute played critical roles in the project, notably Dr. Adele Harrell, director of the Justice Policy Center at the Urban Institute. Emily Busse and Alexa Hirst helped to organize the information gathered during the project's visits to juvenile justice agencies throughout the country, and they contributed to the initial drafts of several project reports. Ojmarrh Mitchell provided important criticisms of the research design as it was being developed, and Nicole Brewer, Dionne Davis, and Erika Jackson played other key roles in ensuring the success of the project. David Williams was responsible for the graphic design of the project's various reports.

Finally, the Urban Institute gratefully acknowledges the patience and efforts of the many state and local officials who hosted the project's site visits and assisted in the collection of data and other information. In particular, the study could not have been conducted without the support of the following agencies:

- California Youth Authority
- California Board of Corrections
- Florida Department of Juvenile Justice
- Florida Legislative Office of Economic and Demographic Research
- Kentucky Department of Juvenile Justice
- New Hampshire Department of Youth Development Services
- Oregon Office of Economic Analysis
- Oregon Youth Authority
- Texas Juvenile Probation Commission
- Texas Youth Commission
- Texas Criminal Justice Policy Council
- West Virginia Division of Juvenile Services
- Wisconsin Department of Corrections, Division of Juvenile Corrections
- Wisconsin Office of Justice Assistance
- Wisconsin—Dane County Juvenile Court Program
- Wisconsin—Milwaukee County Department of Human Services, Delinquency & Court Services Division

Youth Corrections in California

SUMMARY

This report describes the use of juvenile confinement space in California and the factors that help to create the policy climate regarding the state's use of secure confinement. It addresses the three principal types of juvenile facilities in California: county detention centers, county probation camps, and state-operated institutions. The report describes recent population levels in each type of facility, the availability of alternatives, and various structural and economic factors that affect the demand for confinement space. Legal and jurisdictional issues affecting facility use are examined, as are the state's plans for new construction, the relationship between private placements and public facilities, and the role of political stakeholders in responding to the demand for juvenile confinement space across the state.

INTRODUCTION

California places more juveniles in secure confinement than any other state in the country. On an average day, according to data from the Office of Juvenile Justice and Delinquency Prevention, nearly 20,000 youths are held in the state's secure facilities. In recent years, California accounted for one in five confined juveniles nationwide, even though it contained 13 percent of the juvenile population (Sickmund and Wan 1999).¹

The state's immense juvenile correctional system presents many challenges for policymakers and practitioners. One of their greatest challenges is anticipating future demands for juvenile confinement space. Because the construction of secure facilities requires long-term planning, officials must estimate how many detention and correctional beds will be needed in advance, perhaps one year, five years, or ten years in the future. California has historically invested heavily in the construction of secure facilities in order to ensure that it is able to meet future demands for space.

In California, as in every other state, public officials can make costly errors in determining how much juvenile confinement space to provide in the future. Building too little space can result in crowding, waiting lists for admission, and early

¹ Juveniles are youths between the ages of 10 and 17 who are legally under the jurisdiction of the juvenile court. Not all youths under age 18 are legal juveniles. Some states consider 17-year-olds and even 16-year-olds as adults for the purposes of criminal prosecution. California law sets the upper age of juvenile court jurisdiction at age 17.

releases from custody. Building too much space can lead to empty facilities, or even worse, misused facilities. Agencies may find their unused bed space being filled with less serious offenders who are not appropriate for secure confinement but who are incarcerated as a means of ensuring the delivery of services and supervision.

California’s policymakers have traditionally been most concerned with the first type of error—building too little space. The state significantly expanded its juvenile confinement capacity in recent decades, partly in response to a prevailing policy climate that favored tough sanctions for a wide variety of juvenile offenders. While some states actively seek to reduce juvenile incarceration by using alternative-to-incarceration programs for nonviolent and less serious offenders, California policymakers have not assigned a high priority to the development of such programs. In March 2000, California voters fortified this approach by approving Proposition 21, a ballot initiative that increased the severity of penalties for juvenile offenders and had the effect of increasing the demand for juvenile confinement space.

Yet, some California policymakers appear to be taking a different path. Particularly in the wake of Proposition 21, some California officials appear to be reassessing their priorities for juvenile justice. This reassessment may be partly responsible for recent increases in state funding for county-level crime-prevention programs. Some jurisdictions in the state appear to be mov-

ing toward a broader use of graduated sanctions, including community-based options for nonviolent juvenile offenders. These local initiatives may signify a new phase in California regarding the use of secure confinement.

YOUTH FACILITIES

California divides control over juvenile confinement facilities between state and county governments. The state agency primarily responsible for incarcerating young offenders—the California Youth Authority—operates large institutions where (generally the most serious) offenders are committed by county juvenile courts for long-term placement. The state has little direct role in the operation of detention facilities (known as juvenile halls) or local commitment facilities (i.e., probation camps and ranches). These facilities are operated and funded by county governments, although the state does exercise some regulatory control over them through the California Board of Corrections.

In 2001, the combined capacity of California facilities for juvenile offenders was nearly 19,000 (table 1). The youth population in all state facilities on an average day was slightly more than the officially designated capacity of those facilities. In other words, despite the state’s ongoing efforts to build and operate adequate confinement space for juveniles, its facilities are generally full or more than full.

TABLE 1. Rated Capacity, Average Daily Population, and Percent Utilization of the Three Major Types of Juvenile Offender Facilities in California

| | Rated capacity (bed space) | Average daily population | Average daily utilization (%) |
|--|-------------------------------|-----------------------------|----------------------------------|
| California Youth Authority (June 2001) | 6,821 | 7,050 | 103 |
| County probation camps (March 2001) | 5,111 | 4,269 | 84 |
| County juvenile halls (March 2001) | <u>6,793</u> | <u>7,067</u> | 104 |
| Total | 18,725 | 18,386 | 98 |

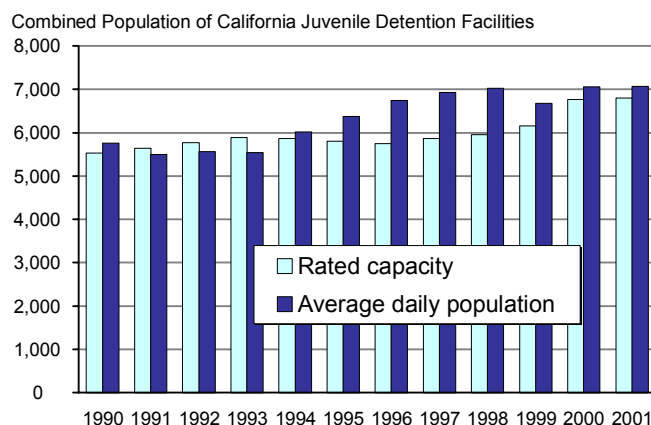
Sources: California Youth Authority (2001b) and California Board of Corrections (2001b).

Detention

At the beginning of 2001, there were 58 detention facilities (or juvenile halls) located in 51 California counties. These facilities had a combined capacity of nearly 7,000 beds (California Board of Corrections 2001a). The highest, single-day population reported during 2000 for juvenile halls statewide was 7,805, or more than 10 percent over capacity. The size of detention facilities in California ranges from small, special purpose facilities in rural and alpine counties to very large centers (300 beds or more) in major metropolitan counties such as Los Angeles, Orange, and San Diego. The size of California's juvenile detention system—whether measured as rated capacity or average daily population—increased steadily during the 1990s (figure 1). New construction projects supported by funds from state and federal grants are expected to provide even more detention capacity in the coming years.

FACTORS AFFECTING THE USE OF DETENTION. The average citizen probably believes that increases or decreases in the size of juvenile detention systems are related to rising or falling juvenile crime rates. Changes in serious juvenile crime, however, cannot account for recent trends in California's use of detention. Between 1990 and 2000, the average daily population of youth in the state's juvenile detention facilities increased approximately 20 percent. The number of juvenile felony arrests during this period, however, dropped 30 percent, from 91,373 to 63,889 (California Department of Justice 2001). Juvenile arrests for property felonies dropped 42 percent, while arrests for violent felonies fell 19 percent and felony drug arrests declined 24 percent among juveniles (figure 2). The recent growth in detention, therefore, must be due to factors other than the pressures of arrest trends.

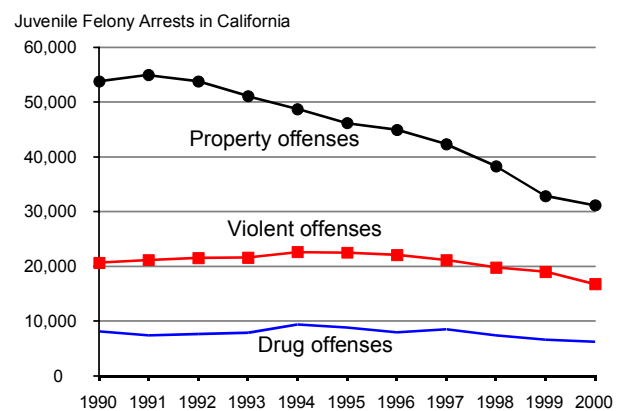
FIGURE 1. California Juvenile Detention Facilities Experienced Growing Populations and Crowding during the Past Decade



Sources: California Youth Authority (1990-1998), California Board of Corrections (2001b).

Note: Figures for 2001 refer to the first calendar year quarter only.

FIGURE 2. Juvenile Arrests in California Declined during the Late 1990s, Particularly for Felony Property Offenses



Source: California Department of Justice (2001).

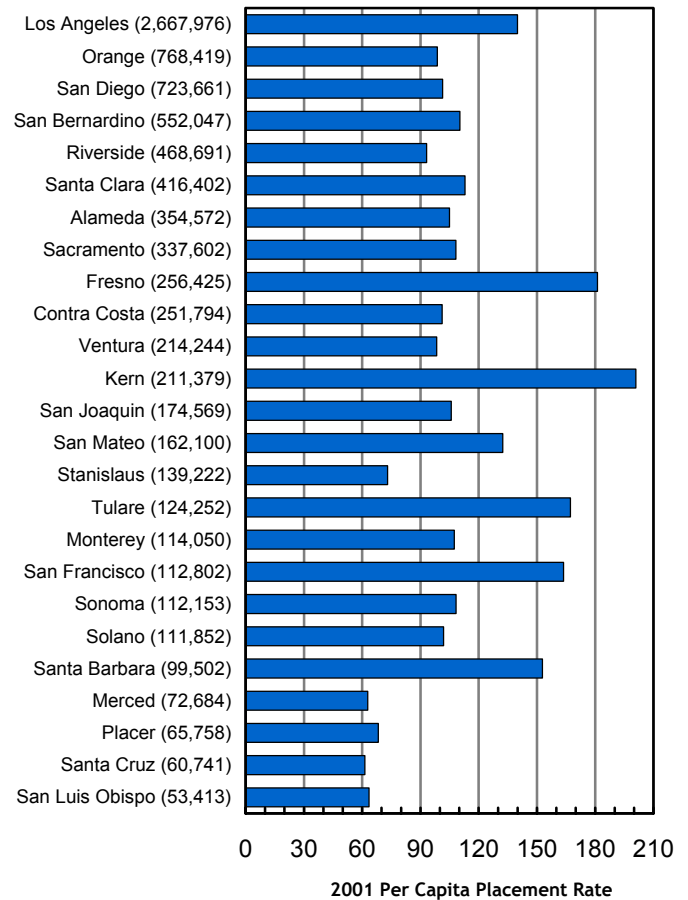
THE ROLE OF POLICY AND PRACTICE. California law gives county governments considerable power and discretion over juvenile detention decisions. Thus, the use of detention facilities can vary significantly from county to county, and admission rates may or may not be directly related to the size of county populations or to the rate of serious juvenile crime (figure 3). Some counties may not screen juveniles as thoroughly as others for public safety risk. Some counties may lack detention alternatives for low-risk juveniles. Counties with poor screening methods or insufficient alternatives to detention are more likely to have higher detention rates, even if juvenile arrests have been declining.

One important local factor that may affect the rate of detention is the discretion of probation officers to release youth after an arrest. Under California law, probation officers have authority in most cases to release minors without detention *prior to* a court hearing. If released before a court hearing, arrested youth tend to stay out of custody all through the judicial process, thus avoiding further growth in the detention population. To help probation officers make these intake decisions, all large metropolitan probation departments (e.g., Los Angeles, San Francisco, Orange, San Diego, Santa Clara, Sacramento) use objective risk assessment instruments to screen youth based upon their apparent need for secure detention. Even where risk assessment instruments are used, however, they may be an ineffective means of controlling the juvenile hall population, either because the assessment criteria themselves are designed to detain youth for a wide variety of behaviors or because probation officers can easily override the screening instrument in favor of secure custody. Moreover, Proposition 21 imposed new limits on the discretion of probation officers to release minors at intake, by requiring that youth arrested for more serious crimes be detained until a court hearing.

Other local juvenile justice practices can influence the size of the detention population. One critical factor is the average length of time it takes to move a case through court. Some county

FIGURE 3. Rates of Local Juvenile Placement Can Vary Considerably, Even within a Single State such as California

25 Largest California Counties (Youth Population in 2000)



Sources: California Board of Corrections (2002). Population data are from the 2000 U.S. Census, as provided by the Annie E. Casey Foundation. *KIDS COUNT Census Data Online*. <http://www.aecf.org/kidscount/census/>. (Accessed August 17, 2001.)

Note: Per capita placement rate is the average daily population of juveniles in detention facilities, camps, and ranches during the first quarter of 2001, divided by the 2000 under-age-18 population of each county measured in 100,000s.

court systems are more efficient than others and are able to move minors more quickly through the process, minimizing the total time minors spend in pre-disposition custody. According to the state Board of Corrections, the average length of stay for all California juvenile detention facilities in 2000 was 27 days. This was longer than the average of 22½ days reported in 1999. Even small increases in average length of

stay can have a multiplier effect on the total number of bed-days needed in a detention facility or its average daily population (ADP). As the Board of Corrections noted in its year 2000 Annual Juvenile Detention Report,

An increase of only 5 days (in ALS, or average length of stay) may seem minimal, but the demand that it actually places on the juvenile hall system is impressive. At an ALS of 22.5 days, and an ADP of 11,437, one can surmise that 257,332 beds (i.e., bed days) were needed during 1999. In 2000, with an ALS of 27 days and an ADP of 11,529, an unbelievable 311,283 beds were occupied. This is an increase of 21% of beds occupied, when the ADP rose (less than 1%) between the two years.

POST-DISPOSITION CASES. The traditional function of juvenile detention is to establish physical custody over youth accused of serious crimes before and during the court process, much like an adult jail. Detention ensures a youth’s attendance at court hearings and serves the public safety by preventing new offenses while the court process is under way. Geared toward short-term stays, detention facilities and detention staff are not generally equipped to provide treatment or specialized programming for young offenders. Nevertheless, California’s juvenile detention facilities often contain large numbers of minors that have already completed the court process—that is, post-disposition cases. Some of

these youth stay in custody for many months following court processing.

Post-disposition detention cases generally fall into three categories: youth serving time in a “commitment program” within the detention center, those waiting in the detention facility for a court-ordered placement, and those who have been returned to detention for a probation violation or a placement failure. During the first three months of 2001, nearly half (47 percent) of all youth in California’s juvenile halls were post-disposition cases, compared with 36 percent during the same period in 1999 (California Board of Corrections 2001b).

Reduced access to out-of-state placements may also be driving up post-disposition populations in some California detention centers. In 1998, for example, the California Department of Social Services temporarily barred out-of-state placements for juvenile offenders, causing population backups in counties that had been heavy users of out-of-state facilities (e.g., San Bernardino and Sacramento).

ALTERNATIVES TO SECURE DETENTION. Some jurisdictions across the United States rely on an array of supervision alternatives to limit the use of their juvenile detention facilities (Schwartz and Barton 1994). Supervision options can include home detention programs, day-reporting centers, work-service programs for probation

Proposition 21

In March 2000, California voters approved a ballot initiative known as Proposition 21. The measure, which passed with 62 percent of the vote, made several changes in state laws that govern the treatment of juvenile offenders and modified provisions dealing with juveniles and adults charged with gang-related offenses and those that commit violent and serious crimes.

By passing Proposition 21, California voters

- Required more juvenile offenders to be tried in adult court.
- Required that certain juvenile offenders be held in local or state correctional facilities.
- Changed the types of probation available for juvenile felons.
- Reduced confidentiality protections for juvenile offenders.
- Increased penalties for gang-related crimes and required convicted gang members to register with local law enforcement agencies.
- Increased criminal penalties for certain serious and violent offenses.

Source: California Legislative Analyst (2000).

violators, and even electronic monitoring for certain offenders. California policymakers have not often made strong funding commitments to the development of local supervision alternatives. Counties may have been reluctant to develop supervision alternatives for economic reasons. With few exceptions, California counties are responsible for the full cost of placing youth in the type of programs that often serve as alternatives to detention. Even though many such programs have lower operating costs than secure detention, new programs also have start-up costs that must be fully supported by county budgets. Thus, economic disincentives to the development of supervision alternatives may have encouraged county officials to “stay the course” and continue to rely on detention for a wide range of juvenile offenders.

Local policymakers’ emphasis on secure custody is not due simply to a lack of alternatives. State and local officials in California have long preferred to make broad use of detention. In 1994, California approved some of the nation’s most stringent prison terms for chronic adult offenders (“three strikes and you’re out”) and during the same year changed its juvenile justice laws making it easier to try minors as adults and increasing penalties across the board. Even as juvenile crime rates began to drop in the mid-1990s, many California counties continued to rely heavily on secure detention despite chronic crowding, high operating costs, and undiminished demands for ever-larger facilities. In such an environment, there was often little enthusiasm for community-based detention alternatives.

Starting in the late 1990s, juvenile justice policy began to change in California. Policymakers demonstrated a renewed interest in alternatives to secure detention. In two waves (1996 and 1998), the state dedicated \$110 million general-fund dollars for “Challenge Grants” to support county-level juvenile justice programs. These grants were awarded by the state Board of Corrections on a competitive basis for county-level programs that emphasized graduated sanctions, such as day-reporting programs, commu-

nity-based assessment and referral centers, home supervision programs, and wraparound services for juvenile offenders. Counties receiving Challenge Grants, such as Santa Cruz, San Francisco, and San Diego, were able to generate an array of alternative-to-custody programs using these funds.

In 2000, less than six months after voters approved Proposition 21, state lawmakers and the governor fashioned a new juvenile justice grant program, the Schiff-Cardenas Crime Prevention Act. This legislation supplied \$121 million in first-year funds to local juvenile justice systems to develop a broader menu of services, including alternatives to detention. Crime Prevention Act monies, which must be renewed in each annual budget cycle, were appropriated again in 2001 at a level of \$116 million statewide. Another important source of funds for probation-based, alternative programs in California is federal Temporary Assistance for Needy Families (TANF) funds. About \$200 million of California’s annual TANF allocation is set aside for juvenile probation programs. With the availability of these new, discretionary funds for California’s juvenile justice systems, new programmatic alternatives to detention were launched across the state. Los Angeles County, for example, used its Crime Prevention Act funds to add a new day-reporting program, new school-based programs, and new juvenile hall assessment and treatment programs targeting youth in detention or at risk of secure detention.

At the county level, support for detention alternatives may depend on many factors, including the strength and organization of community-based groups and youth advocacy groups that often press for the development of alternatives. San Francisco, for example, with a strong youth advocacy community, implemented a diverse set of programmatic options to help minimize facility crowding. In contrast, counties such as Fresno and San Bernardino have been unable to reduce crowding in their juvenile detention facilities. These differences could be attributed at least in part to the attitudes and preferences of local poli-

TABLE 2. Local Placement Capacity (Detention, Camps, and Ranches), Average Daily Population, and Percent Utilization in Selected California Counties, January-March 2001

| County | County population in 2000 Census | Total rated placement capacity | Total placement ADP in 2001 | Total ADP as percent of capacity (%) |
|----------------|----------------------------------|--------------------------------|-----------------------------|--------------------------------------|
| Ventura | 753,197 | 153 | 311 | 203 |
| Fresno | 799,407 | 415 | 826 | 199 |
| San Joaquin | 563,598 | 194 | 349 | 180 |
| San Bernardino | 1,709,434 | 369 | 657 | 178 |
| Stanislaus | 446,997 | 118 | 197 | 167 |
| Sacramento | 1,223,499 | 411 | 655 | 159 |
| Contra Costa | 948,816 | 270 | 417 | 154 |
| Kern | 661,645 | 361 | 489 | 135 |
| Solano | 394,542 | 118 | 159 | 134 |
| San Diego | 2,813,833 | 725 | 934 | 129 |
| Los Angeles | 9,519,338 | 3,677 | 4,349 | 118 |
| San Mateo | 707,161 | 227 | 259 | 114 |
| Riverside | 1,545,387 | 446 | 497 | 111 |
| Sonoma | 458,614 | 162 | 174 | 108 |
| Alameda | 1,443,741 | 494 | 528 | 107 |
| Orange | 2,846,289 | 788 | 835 | 106 |
| Santa Barbara | 399,347 | 202 | 206 | 102 |

Sources: California Board of Corrections (2002). Population data are from the 2000 U.S. Census, as provided by the Annie E. Casey Foundation. *KIDS COUNT Census Data Online*. <http://www.aecf.org/kidscount/census/>. (Accessed August 2001.)

Notes: Counties portrayed in this table are those jurisdictions among the 25 largest California counties where the rated capacity of detention halls, camps, and ranches was at least 100 beds in 2001 and the percentage utilization of that space was 100% or greater. Figures for average daily population are rounded to the nearest whole number.

cymakers and to a lack of effective advocacy by community-based groups (table 2).

FACILITY CROWDING AND RELATED ENFORCEMENT ISSUES. California has often failed to enforce its own limits on crowding in county juvenile facilities. Before 1995, the Department of the Youth Authority (CYA) was empowered to enforce capacity limits for detention facilities. Counties with chronic crowding were asked by the Youth Authority to produce corrective action plans to reduce detention populations. These plans were routinely submitted to CYA and accepted by CYA year after year, without reducing the populations of crowded facilities. In fact, the Youth Authority never exercised its statutory authority

to close a facility operating in excess of design capacity.²

In 1996, oversight of county detention facilities was shifted from the Youth Authority to the Board of Corrections, and new code sections

² A legal action was filed against San Diego County in 1992, challenging conditions of confinement in the Juvenile Hall including chronic crowding. The trial court judge (O'Neill) issued a long (90-page) opinion, condemning various county detention practices, disparaging the Youth Authority for failure to enforce juvenile hall standards over a period of years, and ordering specific remedies. In 1995, the decision was reversed by the state Court of Appeals on technical grounds. The trial court opinion retains merit as documentation of a pattern of crowding and related conditions in one of the state's largest juvenile detention facilities, and as a description of the difficulty of enforcing capacity limits in California. See *Keith G. et al. vs. Brian Bilbray et al.* (Superior Court, San Diego County, Case #626554, October 1992).

were eventually adopted by the legislature, redefining the state's power to control crowding in juvenile detention facilities (SB 2147, Stats. of 1998, Chapter 694). The revised enforcement scheme did not provide specific penalties for counties with crowded juvenile halls, but it did establish a process for the review of crowding issues by the Board of Corrections (BOC). Each facility operator is required to make monthly ADP reports to the Board. If facility crowding continues for several months, the Board may conduct an audit and site inspection, leading to possible decertification (i.e., a facility may be deemed unsuitable for housing minors).

A recent opinion from the California attorney general concluded that the BOC has no statutory authority to file a court action to close a facility that it has decertified. County juvenile courts have inspection and enforcement powers that parallel those of the Board of Corrections, but no local court has ever shut down its juvenile hall. Current capacity limits are enforced through lawsuits brought by private attorneys or advocacy groups seeking remedies including court-imposed population limits.

With more construction money becoming available (see discussion below), some counties have addressed crowding problems by building additional detention capacity. Grant funds made available under the Crime Prevention Act of 2000 may generate supervision programs that can alleviate crowding, but it will take time to determine whether those funds go to programs that actually reduce juvenile detention occupancy rates in counties with crowded facilities.

RECENT CHANGES IN LAW AND POLICY. Beyond the factors described above, other recent changes in law and policy are likely to affect future population levels in California's juvenile detention facilities. Two changes in 2000 introduced significant policy reforms, although they appeared to move in opposite directions. The first change was the Juvenile Crime Initiative, or Proposition 21, adopted by California voters in

March. The second change was the Schiff-Cardenas Crime Prevention Act of 2000.

Proposition 21 made it easier to prosecute minors in adult court and imposed more restrictive sanctioning at all points in the juvenile justice process, from arrest through final court disposition. Reports issued before the passage of Proposition 21 by various analysts and professional groups predicted a major surge in county juvenile detention populations if the initiative were to pass. These reports concurred that two factors would likely drive detention populations higher. First, more minors would be prosecuted as adults, and second, because minors tried as adults stay in pretrial custody much longer than minors tried as juveniles, county detention facilities would become crowded with youth awaiting criminal court processing.

According to the reports, the increased demand for detention that would be created by Proposition 21 was expected to impose significant new costs on county governments. The California State Association of Counties predicted that local costs related to Proposition 21 would be in the range of \$500 million for juvenile facility construction and \$150 million to \$200 million per year in new operating costs, mainly for juvenile detention (California State Association of Counties 2000). The Legislative Analyst Office, in an analysis published in California's official voter package on Proposition 21, predicted local construction costs of \$300 million and local operating costs of \$100 million per year. In another report, the National Council on Crime and Delinquency and Commonweal, a California-based research organization, estimated that Proposition 21 would require the addition of nearly 4,000 detention beds statewide—at a total cost of \$400 million for construction and annual county operating costs of \$200 million (Steinhart and Jones 2000).

One year after the passage of Proposition 21, these dramatic effects had not materialized. In the first quarter of 2001, the average daily population of detention facilities statewide was 7,067—just 3 percent higher than the ADP for

the same quarter in 2000. However, the full impact of Proposition 21 on detention facilities may simply have been delayed. The adult court prosecutions authorized by the initiative were curtailed by a California appellate court decision upholding a legal challenge to the prosecutorial powers created by Proposition 21. In Los Angeles County, for example, the district attorney suspended all filings of juvenile cases directly in adult court until the state's highest court ruled on the validity of the practice.

Even if litigation had not discouraged adult court filings, the detention-related effects of Proposition 21 would have taken time to be fully realized. The effects of Proposition 21 were also difficult to quantify because there was no legal mandate that statewide data be collected on prosecutions of minors in California's adult criminal courts. In fact, California adopted legislation to address this deficiency by requiring the California Department of Justice to track prosecutions of minors in adult courts beginning in 2002, including filing methods and sentencing outcomes (Senate Bill 314, Alpert, Chapter 468).

The other major law change likely to affect California's need for juvenile confinement space was the Schiff-Cardenas Crime Prevention Act of 2000 (CPA), which appropriated \$121 million in state general funds for county juvenile justice programs.³ The passage of CPA was partly a reaction to Proposition 21. Lawmakers sponsored the legislation to counter the punitive impact of the Juvenile Crime Initiative by creating new local juvenile crime prevention, intervention, and treatment programs.

The CPA demonstrated a renewed commitment by the state, and at unprecedented funding levels, to a more balanced juvenile crime policy that includes graduated sanctions and alternatives to incarceration. The CPA funds were

linked by formula to another state grant program, the "COPS" initiative, which distributes state funds to local law enforcement agencies. For each state dollar spent on local law enforcement grants, another dollar must be spent on innovative county-level juvenile justice programs. Using CPA funds, county governments have launched an array of new juvenile justice programs, many of which can fairly be described as alternatives to secure custody. Los Angeles County, for example, used part of its \$35 million CPA grant in 2000 to support day treatment and school-based probation programs as well as intensive assessment and treatment services for detained minors. In San Francisco, CPA funds supported a community-based, peer-counseling facility to which arrested youth are referred in lieu of direct transport to the detention center.

NEW CONSTRUCTION PLANS. Between 1990 and 2001, new construction increased state-rated juvenile detention capacity from approximately 5,500 beds to 6,800 beds. Occupancy rates (average daily population) also increased statewide by more than 20 percent. As mentioned above, juvenile arrest rates for serious crime (which have declined steeply in recent years) cannot explain the steady increase in juvenile hall populations. Clearly, the changing use of juvenile detention in California must be due to shifts in detention policy or the impact of previously unmet demand.

In 1996, California lawmakers placed Proposition 205 on the statewide ballot. That voter initiative would have authorized the state to issue \$350 million in general obligation bonds to build or renovate county juvenile detention facilities. The measure was turned down by California voters. Then, starting in 1997, California began to dedicate the majority of its Violent Offender/Truth-in Sentencing (VOI/TIS) federal grant funds to juvenile justice facility construction. Over five funding cycles, California earmarked nearly \$250 million in federal VOI/TIS funds for county juvenile facilities. These funds were awarded to counties on a

³ The appropriation varies from year to year. The second year appropriation was \$116 million, or 95 percent of the prior year level. This amount could be seen as rather remarkable, however, given the shortfalls in discretionary state funds in 2001 due to the crisis in energy financing.

competitive basis by the state Board of Corrections. Some of the grant funds supported additional detention capacity while other grants supported new probation camp space for adjudicated juvenile offenders. In addition to these earmarked federal funds, California appropriated \$175 million in state general fund dollars between FY 1998–99 and FY 2000–01 for the renovation, maintenance, and construction of county juvenile facilities. For the FY 1998–99 federal and state construction grants program, the legislature imposed a 25 percent match requirement on local governments. The FY 2001–02 general fund appropriation (\$75 million) had less restrictive spending limitations.

California counties welcomed the opportunity to obtain new construction funds for juvenile detention facilities (table 3). According to the state Board of Corrections, construction grants awarded between 1998 and 2001 were expected to add more than 3,000 juvenile detention beds to California’s juvenile detention capacity. In addition, grant funds will be used to renovate or re-

place more than 1,350 existing beds. When all planned construction projects are completed, California’s total rated capacity for juvenile detention space was expected to exceed 9,000 beds—an increase of 50 percent over 1999.

In addition to projects supported by BOC grants, some counties managed to fully fund their own juvenile hall expansion projects. For example, in 1996 Tulare County raised its county sales tax by .5 percent, generating approximately \$20 million to build a new 210-bed juvenile detention facility. The new facility was designed to be linked to a larger complex housing the juvenile courts and other justice system agencies. As a reward for solving its own detention space problem, the Tulare County project was declared a “demonstration project” by the legislature and was granted a partial exemption from facility staffing and capacity standards promulgated by the Board of Corrections (Welfare and Institutions Code Section 210.5). Sacramento County sought to expand its existing 261-bed detention center by 90 beds and to

TABLE 3. Selected Detention Construction Projects Funded with Grants from the California Board of Corrections Using Federal and State Funds Appropriated between FY 1997-98 and FY 2000-01

| County | Grant amount | Purpose |
|----------------|--------------|---|
| Alameda | \$33 million | Rebuild 299 detention beds, add 31 new beds |
| Contra Costa | \$22 million | Build new 240-bed detention facility |
| Los Angeles | \$50 million | Add 341 beds, replace 139 beds in two facilities |
| Madera | \$8 million | Build new 70-bed detention facility |
| Merced | \$6 million | Add 102 detention beds, replace 18 beds |
| Nevada | \$5 million | Build 60-bed Nevada-Sierra County Juvenile Hall |
| Riverside | \$5 million | Build new 99-bed juvenile hall |
| San Bernardino | \$28 million | Add 328 beds in two facilities |
| San Diego | \$37 million | Build new 380-bed facility |
| San Francisco | \$15 million | Build new 150-bed juvenile hall (11 new beds) |
| Santa Barbara | \$9 million | Add 120 juvenile detention beds in two facilities |
| Santa Clara | \$21 million | Rebuild 186 detention beds, add 24 beds |
| Sonoma | \$8 million | Rebuild 120 detention beds, add 22 beds |
| Stanislaus | \$5 million | Add 70 beds to the existing facility |
| Tehama | \$4 million | Build new 40-bed detention facility |
| Ventura | \$41 million | Build 420-bed juvenile detention/camp facility |

Source: California Board of Corrections (2001a, 2001b).

TABLE 4. Selected New County Juvenile Camp and Ranch Construction Funded with Grants from the Board of Corrections Using Federal and State Funds Appropriated between FY 1997-98 and FY 2000-01

| County | Grant amount | Use of funds |
|-------------|--------------|---|
| Fresno | \$11 million | Add 200 beds to Elkhorn juvenile boot camp |
| Kern | \$13 million | Build 120-bed medium security juvenile facility |
| Los Angeles | \$2 million | Add 35 beds to Camp Scott (boot camp) |
| Orange | \$8 million | Build 90-bed Rancho Portrero Leader Academy |
| Santa Clara | \$1 million | Add 30 boot camp beds at Camp Muriel Wright |
| Solano | \$2 million | Add 54 beds/improve existing probation camp |
| Ventura | \$41 million | Build 420-bed juvenile detention/camp facility |
| Yuba | \$3 million | Build 46-bed minimum security boot camp |

Source: California Board of Corrections (2001a, 2001b).

“harden” the facility with a number of security-related improvements. After Sacramento County’s application for funds to the Board of Corrections was rejected in 1999, the Probation Department sought and obtained the commitment of its own Board of Supervisors to fund the project entirely with county funds at a level of approximately \$24 million.

Local Facilities: Probation Camps and Ranches

California also maintains a large, separate network of local placement facilities for juvenile offenders. Falling somewhere between the traditional arrangements of local detention and state-sponsored corrections, these programs, known as probation “camps” or “ranches,” are local commitment programs for youth that have been adjudicated under the delinquency jurisdiction of county juvenile courts. As of 2001, according to the state Board of Corrections, California counties were operating 5,100 probation camp beds.

The same funds that support juvenile hall renovation, expansion, and construction are made available by the state Board of Corrections for probation camp and ranch projects. These include the VOI/TIS federal funds dedicated by the state legislature and the governor to county

juvenile facilities as well as special state general fund appropriations for this purpose. While most of the available dollars have gone to juvenile hall projects, some have gone into expansion of the probation camp network (table 4).

Not every county has a probation camp or ranch for juvenile offenders. Los Angeles County, with 20 probation camps, represents nearly half the state’s camps and ranches. Another 26 counties have at least one camp, while 31 counties have no camp facility at all and, therefore, no local public facility for the commitment of juvenile offenders. Counties without local camps or ranches must access other placement options for committed offenders—regional camps, private residential care providers (including out-of-state facilities), or the institutions of the California Youth Authority.

The character and quality of camp programs may be quite different from county to county. The juvenile probation camp system in Los Angeles County is unique, both in California and in the United States. With more than 2,000 beds across 20 separate facilities, Los Angeles County operates a diverse local care system for adjudicated juveniles. Los Angeles camps run the gamut from higher security facilities housing juveniles adjudicated for violent crimes to boot camp programs and mental health

Out-of-State Placements

Some California counties have a history of sending large numbers of adjudicated juveniles to residential care facilities located in other states. For example, about 15 percent of all California probation youth in private placements in 1998 were in out-of-state facilities. Ten counties were responsible for 80 percent of these placements.

The practice of sending delinquent youth to out-of-state facilities generated enormous controversy in recent years. Much of the controversy was sparked by the case of Nicholaus Contrerez, a Sacramento boy who died at Arizona Boys Ranch in March 1998 after being denied medical care allegedly as punishment for violating facility rules. Later that year, California imposed a statutory moratorium on out-of-state placements and required that each proposed out-of-state provider meet new certification requirements before placements could be resumed.

The moratorium was unpopular among juvenile justice officials in counties that had been heavy users of out-of-state facilities such as Arizona Boys Ranch and Rite of Passage. Without these options, county courts and probation departments would have to find alternative placements for hundreds of youth every year.

Access to out-of-state placements was not terminated completely in California. Since 1998, the state's Department of Social Services has certified a number of out-of-state programs, restoring approximately one-half of the out-of-state placement resources that had been lost. Moreover, some out-of-state providers looked for ways to open facilities inside California. Vision Quest, for example, sought to open a facility in San Bernardino County with "waivers" of regulations that would allow them to operate with children's uniforms and other features not permitted by California's current group home regulations.

Due to previous controversies, however, California policies related to out-of-state facilities remain unsettled. Future changes in policy, affecting access to revenue streams or the regulatory climate for group homes, could have significant effects on the future demand for juvenile confinement space.

facilities.⁴ Los Angeles's local residential facilities provide the juvenile justice system with a broader menu of dispositional options for adjudicated delinquents as well as reduce the county's utilization of Youth Authority beds, even for juveniles adjudicated for serious and violent crimes.

Like juvenile halls, county probation camps are subject to the regulations and inspections of the state Board of Corrections. These state regulations govern staffing ratios, admission procedures, education and program elements, and related health and safety standards. By state law, there is a general population limit of 125 minors per camp (Welfare and Institutions Code Section 886, 886.5). However, in 1998 county governments sought and obtained an amendment to this code capacity, allowing the Board of Corrections to approve higher population limits for individual facilities if the county is able to demonstrate a need for more space and can assure maintenance of basic safety and service standards (SB 1422, Stats of 1998 Chapter 375). Unlike California's detention facilities, which are persis-

tently crowded in some of the largest counties, probation camps and ranches are rarely filled beyond their rated capacities. During 2000, California's probation camps and ranches had an 89 percent average occupancy rate.

THE DISPOSITIONAL CONTINUUM. Probation camps and ranches are an important resource for the California juvenile justice system. In recent years, the state's camps and ranches have held an average of 4,500 juveniles per day, according to the California Board of Corrections. About 20,000 juveniles per year are admitted to camps and ranches, where the average length of stay is two to three months. Were these offenders to be committed to the California Youth Authority instead, they would serve much longer sentences, use far more bed space, and consume even more resources.

The commitment of a juvenile offender to a county probation camp is a less severe disposition than commitment to the Youth Authority. Most camps and ranches in California counties are semi-secure or nonsecure facilities, without locked cells or (in many cases) fenced perimeters. By contrast, the institutions of the Youth Authority are more prison-like, with more ex-

4 A description of the Los Angeles Probation Camp system can be found at <http://probation.co.la.ca.us>.

pensive security features, and contain larger populations, averaging 600 beds per institution. The average stay in CYA institutions is also much longer, more than 10 times the average stay in local probation camps.⁵

California's probation camps and ranches are part of a continuum of dispositions for juvenile offenders at the local government level. In recent years, California counties have struggled for resources to expand the dispositional continuum. Pressure for counties to develop new disposition capacity has been intensified by new state economic policies (discussed below) that have discouraged commitments of lesser offenders to the Youth Authority. Some counties have been more successful than other counties in their efforts to augment the number and diversity of local dispositional alternatives.

One alternative that may be underdeveloped in California is referral to "day-reporting" or day-treatment programs. Youth in these programs report to a designated facility each day for school and counseling services under close, professional supervision. They then return home to their families at night. Many day-treatment programs are operated by private, nonprofit organizations. The major benefits of day treatment include direct family involvement in each youth's treatment plan and much lower operating costs—one-fourth to one-half the cost of housing minors in county-run camps, ranches, or private group homes. Day-treatment programs have not been aggressively developed on a statewide basis. Juvenile justice agencies have continued to rely on residential facilities for young offenders. In Los Angeles County, for example, about 6,000 youth are confined on any given day in 24-hour public and private juvenile detention and residential placement facilities (excluding CYA). The county has only about 100 day-treatment slots specifically for delinquents, despite growing evidence that day-reporting programs can be a cost-effective alter-

native for many of the same youth that are usually referred to detention centers, camps, and ranches (Earnest 1996).

Some California counties, however, have been more innovative than other counties in the design and establishment of programmatic alternatives to local confinement. More than 10 years ago, for example, Orange County launched a body of research on juvenile offenders known popularly as the "8 percent model." The county probation department profiled all petitioned and adjudicated youth and found that only 8 percent were chronic juvenile offenders that returned to the system again and again. This finding helped to generate a statewide program model, the Repeat Offender Prevention Projects, launched in eight counties with funding from the state Board of Corrections. These programs provide detailed needs assessments for chronic offenders and provide specialized treatment and follow-up based on the assessment findings.

Under other state-funded programs, such as the Juvenile Crime Challenge Grants and the Crime Prevention Act of 2000, California counties have continued to receive additional resources for the development of new programs and projects designed to reduce secure custody caseloads in county juvenile halls, camps, and ranches. Some of these program dollars have gone into rural, mountain, and desert counties, creating disposition options previously lacking in those areas. If the Crime Prevention Act of 2000 survives as an ongoing funding source in California, even more programs may be developed in the future to reduce demand for secure confinement space at the local level.

California Youth Authority

California runs the world's largest network of youth incarceration facilities—a set of institutions and camps holding more than 7,000 youth per day known collectively as the "California Youth Authority," or CYA. The Youth Authority is one department within California's Youth and Adult Correctional Agency. The Secretary

⁵ Average length of stay for first-time CYA commitments was 33 months in 2000, compared to 2½ months in local probation camps.

of Youth and Adult Corrections is a member of the governor's cabinet. CYA facilities are spread throughout the state, with populations that vary by age, gender, security level, and county of origin. The institutions range from prison-like facilities including the large (1,200 beds) Stark

Training School in Chino to the campus-like environments of the Fred C. Nelles and O. H. Close facilities for younger male offenders (table 5). The CYA also runs several rural conservation camps for youth committed to its custody.

Each youth committed to the Youth Author-

TABLE 5. CYA Institutions and Camps Are Designed to Hold More than 7,000 Youthful Offenders

| Facility | Location | Program emphasis | Capacity as of 2001 | |
|--|-------------|--|---------------------|------------|
| | | | Males | Females |
| Northern California Youth Correctional Center (4 institutions) | Stockton | | | |
| DeWitt Nelson Youth Correctional Facility | | Extensive job training; conservation camp | 400 | |
| Karl Holton Youth Correctional Drug and Alcohol Abuse Treatment Facility | | High-risk, substance abusing males | 403 | |
| N.A. Chaderjian Youth Correctional Facility | | Older offenders, ages 18 to 25 | 788 | |
| O.H. Close Youth Correctional Facility | | Younger offenders | 409 | |
| El Paso de Robles Youth Correctional Facility | Paso Robles | Includes youth conservation camp | 795 | |
| Fred C. Nelles Youth Correctional Facility | Whittier | Academics, sex offender program, employability | 756 | |
| Heman G. Stark Youth Correctional Facility | Chino | Counseling, pre-camp, job training | 1,225 | |
| Preston Youth Correctional Facility | lone | Intensive treatment, counseling, pre-camp | 761 | |
| Ventura Youth Correctional Facility | Camarillo | Reception for females, intensive treatment | 393 | 337 |
| Northern Youth Correctional Reception Center and Clinic | Sacramento | Reception for males, intensive psychiatric | 433 | |
| Southern Youth Correctional Reception Center and Clinic | Norwalk | Reception for males, intensive treatment | 441 | |
| Ben Lomond Camp | Santa Cruz | Conservation camp | 83 | |
| Mt. Bullion Camp | Mariposa | Conservation camp | 99 | |
| Pine Grove Camp | Pine Grove | Conservation camp | 90 | |
| Washington Ridge Camp | Nevada City | Conservation camp | 85 | |
| Total | | | 7,161 | 337 |

Source: California Youth Authority (2002).

ity by a juvenile court is first referred to one of three reception centers for diagnostic testing, classification, and assignment to an institution. The CYA maintains two institutions that serve as reception centers for male offenders, one for the northern region of the state and one for the southern region. The correctional facility for females (Ventura) includes its own reception and diagnostic unit for committed females.

COMMITMENTS AND INSTITUTIONAL POPULATIONS. The young offenders held in CYA institutions are a more diverse population than would be found in many state juvenile justice systems. The Youth Authority is responsible for young offenders committed to its custody by either juvenile or criminal courts. Approximately 15 percent of offenders held by the CYA are actually young adults sentenced to the California Department of Corrections (CDC) by an adult court who are sent to the Youth Authority to serve their sentence (California Youth Authority 2001a). A handful of these youth may complete their sentences in CYA facilities, but most are transferred to state prison at some point during their sentence. The Youth Authority's jurisdiction for young offenders, both juvenile and young adult, ends on the offender's 25th birthday.

Juveniles in California may be sentenced directly to the Department of Corrections, whether by juvenile or criminal court. According to California law, young offenders must be at least 16 to be housed in a state (adult) prison. Many serious offenses, however, are barred from CYA jurisdiction. When an adult court in California convicts a minor under age 16 of a crime for which Youth Authority commitment is barred, state law provides that the minor may be temporarily housed at CYA, but transfer to a state prison facility is mandatory by age 18. In recent years, state lawmakers and voters have made it harder for minors convicted in adult courts to be sentenced to the CYA. The passage of Proposition 21 in March 2000 further narrowed CYA eligibility criteria by increasing the

number of offenses for which CYA commitment is expressly prohibited.

LENGTH OF STAY POLICIES. Policies regarding offender length of stay are a critical determinant of the demand for confinement space in California. The length of offender commitments to CYA is not controlled either by the committing court or by CYA. Instead, the length of time each youth spends with the Youth Authority is established by a separate state entity known as the Youthful Offender Parole Board (YOPB). In other words, sentences at CYA are indeterminate. Upon admission, each youth is given a parole consideration date by the YOPB. Whether an individual youth is actually released at that time depends on the Board's review of the youth's behavior during the period of commitment. Young offenders with particularly poor behavior may experience longer periods of confinement in CYA institutions than they would have as adults sentenced to state prison for similar offenses. The only limit on sentence length in CYA facilities is that youthful offenders cannot be institutionalized longer than the maximum adult determinate term, or the maximum age of CYA jurisdiction, whichever comes first.

The bifurcation of control over the use of CYA confinement—with custodial and program responsibility held by the Youth Authority and release power maintained by the Youthful Offender Parole Board—was blamed in the past for contributing to crowding in CYA institutions. An analysis by DeMuro and his colleagues in 1988 found that the population of offenders held in CYA institutions had doubled between 1978 and 1988, not because crime rates or commitments from county courts had increased, but because actions by the YOPB effectively doubled the average length of stay for CYA commitments in these years (DeMuro, DeMuro, and Lerner 1988). In 1988, CYA institutional populations had ballooned to nearly 9,000 offenders, approximately 150 percent of their design capacity. The California legislature, facing large increases in the cost of running CYA institutions

given their rising population levels, began to place limits on YOPB confinement policies. The population in CYA institutions soon began to recede. By 1996, however, average length of stay had started to increase again, putting renewed pressure on institutional space. The new increases in length of stay, however, were due at least in part to rising rates of juvenile violent crime, causing more juveniles with longer sentences to be committed to CYA. In 1996, the average length of stay in CYA institutions (including parole violators) was 22½ months. By 2000, the average stay had increased to more than 27 months.

FEES FOR PLACEMENT. As the CYA population began to grow in 1996, the California legislature enacted a program of financial disincentives to discourage the commitment of youth charged with relatively nonserious offenses. Some counties, it was believed, were electing to commit nonserious offenders to the CYA at least in part because they could do so at virtually no cost to their own jurisdictions. Before 1996, counties paid the state \$25 per month for each youth they sent to the CYA, a fraction of the actual costs of confinement. In 1996, this fee was raised to \$150 per month. In addition, the state began to require counties to pay a larger share of the cost of commitment for youth with lesser offenses. The portion of costs charged back to the county increased as the severity of youth offenses decreased.⁶ The new “sliding scale” law (Welfare and Institutions Code Sec. 912.5) required counties to pay 50 percent of the confinement costs for level V (moderate) offenders, 75 percent for level VI (less serious) offenders, and 100 percent of the costs associated with the commitment of level VII (least serious) offenders.

The new fiscal requirements seemed to have the intended effect of cutting admissions of less serious offenders to CYA. Declining commitment rates for less serious offenders appeared to be a key reason for a subsequent drop in the institu-

tional population, from an average daily population of 10,114 in 1996 to 7,380 in 2000. Counties that had been accustomed to sending lesser offenders to CYA found that they needed to develop other dispositions for those youth after 1996.

CONDITIONS OF CONFINEMENT. Other factors were likely involved in the changing use of confinement space in California. In 1999, the state inspector general’s office confirmed reports that youth had been abused at several CYA institutions. The incidents included sealing rooms and spraying youth with mace, slamming them into walls, forcing youth into cells with human waste on the floors, or staging “Friday night fights” between institutionalized youth. The allegations were reminiscent of earlier studies that described abuses in CYA facilities. Between 1984 and 1990, for example, Commonweal produced three books on the CYA, citing a pattern of fear and gang violence in the institutions and blaming the problems on crowding in the institutions and on the state’s policy of allowing counties to commit too many property and drug offenders to CYA (Lerner 1982, 1986). Near the end of 1999, in the wake of renewed negative publicity about the Youth Authority, California’s governor fired his recently appointed CYA director and instructed the Youth and Adult Corrections Agency to take steps to renew the quality and safety of CYA’s institutions and programs. Several steps were taken by state corrections officials to improve conditions in CYA facilities, including upgrades of education and mental health services for confined youth.

PRIVATE PLACEMENTS. The availability of private facilities may be another critical factor in determining the future demand for confinement space in California’s youth corrections facilities. On any given day in California, there are approximately 6,000 youth in private foster care placements under the supervision of county probation departments. Most of these youth (about 80 percent) can be found in a network of group homes that are designed to house six or more youth at a

⁶ Per capita institutional costs were approximately \$40,000 per year in 2001.

time. In addition, most of them are likely to have been made wards of the local juvenile court in response to criminal violations (under Welfare and Institutions Code Section 602), but some may have been adjudicated and placed in residential care for noncriminal (status) offenses (under Welfare and Institutions Code Section 601). Private facilities that house probation youth in California vary greatly in location, size, and treatment focus, from large campus providers like Boys Republic (which operates a 200-bed campus in Chino as well as smaller group homes) to small “mom and pop” homes housing 6 to 12 youths in residential neighborhoods.

The 6,000 foster care beds occupied each day by juveniles under probation supervision represent about one-fourth of the total capacity for housing California’s juvenile offenders when the total is calculated to include private facilities as well as detention centers, camps, and CYA institutions. Obviously, significant erosion of this private-sector capacity would have the effect of creating new demand for confinement space in the state’s public facilities.

Both in California and throughout the nation, foster care facilities are under constant scrutiny for the safety and quality of care they provide. California lawmakers recently adopted several sweeping foster care reform measures—increasing the accountability of foster care providers, creating new statutory criteria for placement decisions made by juvenile courts, and adjusting the schedule of payments made by the state to the operators of private children’s facilities. With more regulation and higher operating costs, some foster care providers have closed down or have stopped accepting placements of children perceived to be difficult to manage. Already, the inability to find private beds for youth ordered into out-of-home placement has caused the population of post-adjudication minors to grow in some county detention facilities. The fact that nearly half of the state’s juvenile detention population consists of post-disposition minors may be due in part to the extended delays in arranging placements that have been ordered by juvenile courts.

New Controls on Probation Placements

California counties that choose to place delinquent youth in private residential care facilities rather than state-operated correctional institutions are eligible to receive financial support for each placement through state and federal foster care funds. California law provides that the state will reimburse counties for at least some of the cost of each placement based upon the private facility’s monthly rate as established by a “Rate Classification Level” (RCL) formula contained in the California Health and Safety Code. Under the RCL system, the state pays counties 40 percent of placement costs based on the provider’s classification at one of 14 levels of care. The county pays the other 60 percent from county funds. If a youth qualifies for federal Title IV-E support as well, the formula shifts to a sandwich of support payments that begins with the federal share at 50 percent, the state share at 20 percent, and the local share at 30 percent of the costs of care.

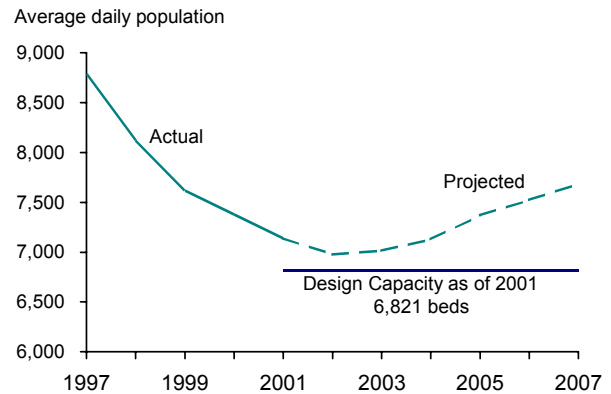
In short, counties have a fiscal incentive to prefer foster care for juvenile offenders rather than county camps, detention facilities, or Youth Authority institutions. In determining whether to order an out-of-home placement, juvenile court judges rarely take the cost of care into account. Their rationale for ordering a private placement is usually centered on the minor’s treatment needs and the public safety risk associated with lesser forms of supervision. At times, however, the relative availability of bed space may be a factor in a judge’s decision, and availability may be affected by financial factors.

California’s extensive use of the foster care system for juvenile offender placements has drawn criticism and debate in recent years. California zoning laws permit small group homes to be established in residential neighborhoods, and homeowner associations have often complained about misbehavior by adolescents from nearby group homes. (Note: A 1996 study by the California Department of Social Services found that such assertions of widespread misbehavior among group home youth were usually exaggerated.) In recent years, some California lawmakers have questioned the use of state and federal foster care funds to support placements of delinquent youth in secure or disciplinary treatment programs. These concerns erupted into a high-profile debate after the death of a California juvenile at Arizona Boys Ranch in 1998. Reaction to the case led to legislative reforms that tightened state control over all foster care placements and imposed special restrictions on probation placements. In the wake of these reforms, many private providers have found that it is more costly and difficult to operate existing programs or develop new programs for probation youth.

FUTURE TRENDS. The Youth Authority’s total operating budget for FY 2001–02 (state and federal funds) was \$423 million. Nearly three-fourths of this amount supported the costs of running its institutions (the remainder was devoted to parole services, education services, administration, and special programs). Although several repair and renovation projects at CYA institutions were funded and under way in 2001, there were no legislative appropriations for the expansion of secure capacity.

Despite the presence of several factors that would be expected to reduce the demand for CYA beds, the Youth Authority continues to predict that its population will grow over the next decade. The department creates routine population projections using state-of-the-art methodology and publishes the results in an annual *Population Management and Facilities Master Plan*. The master plan generally serves as the foundation for CYA capital budget requests to state legislative committees. For the plan covering FY 2002–07, CYA projected a 20 percent increase in the number of “first admissions” and a 10 percent increase in the total committed population, from 6,975 to 7,685 youth between 2002 and 2007 (figure 4). The main factors expected to contribute to this increase were a significant increase in the state youth population and a modest acceleration of commitments by county juvenile courts. The

FIGURE 4. Populations in CYA Institutions Were Projected to Grow after 2002



Source: California Youth Authority. Various years. Figures for 2001 and beyond are projections by the Youth Authority.

projected increases would have been larger had it not been for the effects of the sliding scale fees charged to counties and to the slowing rate of admissions for parole violators.

The master plan for FY 2002–07 addressed several issues raised by the passage of Proposition 21, but the population projections included in the report did not specifically estimate what effect the new law would have on the demand for bed space in CYA camps and institutions. The report suggested that Proposition 21 could even reduce CYA admissions due to expanded provisions for the trial and sentencing of youth

Planning for Future Capacity

The process used to anticipate future capacity needs in California Youth Authority (CYA) facilities depends on the agency’s population projections and the development of the annual facilities master plan. The master plan not only assesses the number of beds, but also the types of beds that will be needed in the near future (i.e., 5 to 10 years).

CYA population projections are based on statistical analyses of key trends. Demographic analysts track a large number of variables from the Youth Authority’s Offender Based Information Tracking System. The number of first admissions to the Youth Authority and the length of institutional stays are among the most significant variables tracked. Juvenile arrests are not used in developing statistical projections because only about one in 100 juvenile arrests in California results in a Youth Authority commitment. Even among arrests for serious violent offenses, fewer than 1 in 20 results in a Youth Authority commitment.

Assumptions about the likelihood of future legislative and policy developments are agreed to by the Youth Authority’s Executive Committee before projections are developed each spring and fall. These assumptions may include the impact of recently enacted legislation, new policies regarding first admissions, parole violator admissions, changing lengths of stay, and other expected changes in the policies and procedures of the Department of Corrections and the Youth Authority.

The Youth Authority staff then reviews its own expectations related to education, treatment, training, and housing of juvenile offenders. Based upon this information, and the population projections generated by CYA analysts, the department determines whether the design and condition of its existing facilities is adequate to safely house and program the expected number of offenders. Assessing special program needs is also part of the process for planning for future bed space.

in adult criminal courts, with possible sentencing to adult institutions. In the end, the master plan concluded that the current design capacity of CYA institutions would likely be sufficient to meet the demand for confinement space through the year 2007. This seemed to suggest, however, that the CYA intended to continue running its institutions above their “design capacity.” Based upon the agency’s estimates, the institutional population was likely to increase from 108 percent of design capacity in 2000 to 113 percent in 2007. Of course, these populations would still be well below those of the mid-1990s, when CYA institutional populations often reached 150 percent of design capacity. This was before sliding scale fees and other commitment fees were imposed on California counties.

Although the CYA master plan for 1998 had included a proposal to add 300 beds to the system (50 each at six institutions), this provision was dropped from the 2001 and 2002 plans. The master plan for 2002–07, however, did note that with a growing number of violent offenders in its institutional population, the agency may need to consider future renovations of its security systems, including better perimeter enclosures as well as surveillance and detection hardware. The master plan also stressed the need to replace temporary modular buildings with permanent structures and the need to convert some of its “dry rooms” to “wet rooms” (i.e., those that include toilet facilities) to avoid larger numbers of staff escorts involving violent youth. Finally, the FY 2002–07 master plan also suggested that CYA may need to devote future resources to creating or modifying some of its confinement space to enhance its treatment capabilities, particularly in the areas of mental health and special education.

CONCLUSION

In recent decades, there has been a persistent demand in California for expanding the state’s system for confining young offenders. The intensity of the demand has at times seemed impervious to declines in juvenile crime. Youth advocacy groups and other constituencies that favor limiting the use of incarceration appear to have had little success in advancing the argument that California should balance its large capacity for incarceration with investments in non-custodial programs and graduated sanctions.

In 2000, these voices appeared to be finally reaching the legislature and the governor’s office. The strongest evidence of their success was the adoption of the Schiff-Cardenas Crime Prevention Act of 2000. The measure appropriated an unprecedented \$121 million to counties for probation and community-based services for juvenile offenders and children at risk of entry into the juvenile justice system. Funding was renewed in 2001 at \$119 million.

By 2002, however, it was not clear whether these investments would produce lasting reductions in the demand for secure confinement in California. After proposing in January 2002 to renew funding for Schiff-Cardenas at \$116 million, Governor Davis cited declining tax revenues as he released a revised budget in May 2002 that eliminated all crime prevention funding under the measure for FY 2002-03. At the same time, however, the governor supported the provision in the bill that provided \$116 million for law enforcement programs.

Legislative resistance was inevitable. Assemblyman Tony Cardenas told the Sacramento Bee in June 2002 that it was a “waste of money” for California to spend \$5 billion per year on incarcerating juveniles and adults. “Studies have shown that if you don't rehabilitate a youth who has been identified as being involved in crime, it's going to cost the state a lot more money” (Rojas 2002). The debate over FY 2002-03 funding was destined to help shape the future course of youth corrections policy in California.

REFERENCES

- California Board of Corrections. 2001a. "Juvenile Detention Profile Survey—2000 Annual Report." Sacramento, Calif.: California Board of Corrections. <http://www.bdcorr.ca.gov/fsod/fsod.htm>. (Accessed August 15, 2001.)
- . 2001b. "Juvenile Detention Profile Survey, 1st Quarter 1999 through 1st Quarter 2001." Sacramento, Calif.: California Board of Corrections. <http://www.bdcorr.ca.gov/fsod/fsod.htm>. (Accessed August 15, 2001.)
- . 2002. "Juvenile Detention Profile Survey Report." 2001 First Quarter Survey. Sacramento, Calif.: California Board of Corrections. <http://www.bdcorr.ca.gov>. (Accessed January 2002.)
- California Department of Justice. 2001. "Criminal Justice Profiles (Statewide and County) through Calendar Year 2000." Sacramento, Calif.: Criminal Justice Statistics Center, California Department of Justice. <http://caag.state.ca.us/cjsc>. (Accessed August 15, 2001.)
- California Legislative Analyst. 2000. *Initiatives and Ballot Propositions*. Sacramento, Calif.: California Legislative Analyst.
- California State Association of Counties. 2000. *Proposition 21: Anticipated County Impact*. Sacramento, Calif.: California State Association of Counties.
- California Youth Authority. 1996a. *Final Report*. Sacramento, Calif. California Youth Authority, California Task Force to Review Juvenile Crime and the Juvenile Justice Response.
- . 2001a. "Department Description." Sacramento, Calif.: California Youth Authority. <http://www.cya.ca.gov/facts/aboutcya.html>. (Accessed December 2001.)
- . 2001b. "Population Movement Summary." Sacramento, Calif.: California Youth Authority. <http://www.cya.ca.gov/facts/summarys.html>. (Accessed August 15, 2001.)
- . 2002. "Youth Correctional Facilities." Sacramento, Calif.: California Youth Authority. http://www.cya.ca.gov/about/locations/iandc_correctional.html. (Accessed January 2002.)
- DeMuro, Paul, Anne DeMuro, and Steve Lerner. 1988. *Reforming the CYA: How to End Crowding, Diversify Treatment and Protect the Public without Spending More Money*. Bolinas, Calif.: Commonweal Research Institute.
- DOJ. See U.S. Department of Justice.
- Earnest, E. 1996. "Youth Day Treatment Program Works for Alabama." *Corrections Today* 58(5): 70, 72-73, 140.
- Lerner, Steve. 1982. *The CYA Report, Part I: Conditions of Life at the California Youth Authority*. Bolinas, Calif.: Commonweal Research Institute.
- . 1986. *The CYA Report, Part II: Bodily Harm: The Pattern of Fear and Violence at the California Youth Authority*. Bolinas, Calif.: Commonweal Research Institute.
- Rojas, Aurelio. 2002. "Youth Crime Prevention in Peril: With Davis Seeking Only Enforcement Funds, a Showdown is Likely." *Sacramento Bee*. June 24.
- Schwartz, Ira M., and William H. Barton, eds. 1994. *Reforming Juvenile Detention: No More Hidden Closets*. Columbus: Ohio State University Press.
- Sickmund, Melissa, and Wan, Yi-chun. 1999. "Census of Juveniles in Residential Placement Databook." <http://www.ojjdp.ncjrs.org/ojstatbb/cjrp/index.asp>. (Accessed August 6, 2001.)
- Steinhart, David, and Michael Jones. 2000. *Expanding the Punishment Model: The Projected Impact of Proposition 21 on California Children, Taxpayers and the Justice System*. San Francisco, Calif.: National Council on Crime and Delinquency, with Commonweal Research Institute and Communication Works.
- U.S. Department of Justice. 1998. *An Assessment of Space Needs in Juvenile Detention and Correctional Facilities*. Report to Congress. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention.
- U.S. House of Representatives. 1997. Conference Report on H.R. 2267, Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1998 (House of Representatives - November 13, 1997). TITLE I--Department of Justice, Office of Justice Programs, Violent Crime Reduction Trust Fund Program, Page H10840.

APPENDIX I.

Stakeholders in California Youth Corrections Policy

California's juvenile justice policies, including those related to youth corrections, are deliberated in Sacramento, the state capital. As in any area of public policy, funding and program decisions reflect the views and relative influence of the various stakeholders and advocacy groups involved in the legislative process. Especially in California, the most populated state in the country, it is important to understand the diversity of actors involved in the decision-making process before one can begin to comprehend the state's actions related to youth corrections space.

Legislature

The California legislature has historically given broad support to policies favoring the incarceration of juvenile offenders and the construction of secure juvenile facilities. During the 1990s, legislative debates on youth crime policy were dominated by concerns about which minors should be tried and sentenced in the adult criminal justice system. In 1994, the legislature broadened California's "judicial transfer" law, giving judges the power to send minors as young as 14 to adult criminal courts. Since then, lawmakers have rejected a number of proposals that would have enlarged adult court jurisdiction.

As California juvenile incarceration rates rose in the 1990s, some lawmakers voiced concerns about the potential cost of expanding the corrections system to handle an ever-growing number of young people serving longer sentences. Some lawmakers pointed to the fact that the cost of operating the youth and adult corrections system grew from 4 percent to 8 percent of California's general fund budget between 1991 and 1996. Beginning in 1996, senate leaders in

particular began to direct resources toward youth crime prevention and early intervention programs.

The legislature has also been responsive to county demands for the renovation of aging juvenile facilities and for the construction of additional juvenile confinement capacity. Beginning in FY 1997–98, the legislature earmarked a major share of the state's federal Violent Offender/Truth in Sentencing construction funds (nearly \$300 million) for county juvenile facility construction. Between 1999 and 2001, the legislature appropriated another \$175 million from the state general fund for county juvenile facility renovation and construction. These appropriations of state and federal funds launched a new wave of juvenile facility expansion in California, a wave that will likely increase the state's detention capacity by 50 percent over the 1999 level.

Governor

California has had a long series of "tough on crime" governors, including Jerry Brown (1974–81), who reinstated "determinate sentencing" for adults; George Deukmejian (1982–89), the father of California's modern prison system; and Pete Wilson (1990–97), the chief sponsor of Proposition 21. The current governor, Democrat Gray Davis, fits into this tradition of "tough on crime" leaders and was a supporter of Proposition 21. All the aforementioned governors of California have supported the dedication of state and federal funds to prison, jail, and detention construction projects. Beginning in 1996, when Governor Wilson inaugurated the first round of Juvenile Crime Challenge Grants, the executive branch began to demonstrate a somewhat stronger fiscal commitment to prevention strategies affecting the

juvenile offender caseload. In 2000, Governor Davis signed the Schiff-Cardenas Crime Prevention Act into law as part of a larger package of funds for local law enforcement and juvenile justice agencies. While executive crime control priorities tend to differ from administration to administration, the recent trend in the executive branch has been increased emphasis on the distribution of discretionary juvenile justice program dollars to county governments.

Attorney General

The California attorney general, a constitutional officer elected by voters, leads the state's Department of Justice. Attorneys general have traditionally taken strong positions on juvenile crime bills and correctional facility proposals. Between 1994 and 1998, for example, Republican Dan Lungren campaigned strongly for expanded prosecutorial powers in the juvenile justice system and for laws making it easier to try minors in the adult system. When Democrat Bill Lockyer was elected attorney general in 1998, the Department of Justice began to emphasize crime and violence prevention programs for youth. The views of the attorney general and the positions supported by the Department of Justice are critical factors in debates over juvenile justice priorities in California.

Other State Agencies

Between 1940 and 1995, the California Youth Authority (CYA) was the prime architect of state and local juvenile crime policy. More recently, lawmakers reduced the role of the CYA, partly due to continuing concerns about alleged abuses of youth in its institutions.

Beginning in 1996, the state Board of Corrections became the primary agency charged with the regulation of county juvenile justice facilities and the distribution of grant funds to local programs. The Board of Corrections also re-

ceives and approves proposals for new county juvenile facilities.

The Office of Criminal Justice Planning often weighs in on juvenile justice policy formation, as it administers federal grants under the Juvenile Justice and Delinquency Prevention Act.

The Legislative Analyst's Office is a key agency involved in the analysis of every juvenile crime and facility proposal that goes before the California legislature.

Other Organizations and Lobbying Groups

California Correctional Peace Officers Association. The "guards union" has been a major voice promoting prison construction in California but has been relatively quiet on issues related to the expansion of juvenile facilities. The union contributes heavily to political campaigns and is always a powerful force when it takes positions on crime measures or facility construction proposals.

California District Attorneys Association (CDAA). CDAA worked actively for expanded adult-court jurisdiction over children and was the main sponsor (with former Governor Pete Wilson) of Proposition 21. CDAA continues to have a strong lobbying presence in the state capitol.

Chief Probation Officers Association of California (CPOC). CPOC has been a constant voice for state funding of county-level juvenile justice facilities in California. The organization retains a lobbyist in Sacramento to assert its interests. In recent years, its efforts have been rewarded with several new initiatives, including state and federal funding for juvenile facility construction and renovation.

California Judicial Council; California Judges Association; California Juvenile Court Judges Association. In many states, judges are a strong political force, influencing state juvenile crime policy. California associations representing judicial interests have been generally reserved in their expressions of support or opposition to specific

policy proposals. Individual judges from some counties have taken vocal stands on specific juvenile justice bills under consideration in the California legislature.

California State Association of Counties (CSAC). CSAC represents county governments and has a large staff in the state capitol. CSAC has supported state subsidies for probation camps and state funds for all types of county juvenile facilities. CSAC is also deft in the analysis of state budget and spending proposals and can be counted on to promote state funds for local government programs while opposing “unfunded mandates” that impose new responsibilities on local governments without a named revenue source.

California State Sheriffs Association, California Police Chiefs Association, California Peace Officers Association. These law enforcement groups are almost always vocal in juvenile justice policy debates. All have professional lobbyists in Sacramento who appear regularly in committee hearings to weigh in on juvenile crime and correctional spending measures.

Victim of Crime organizations. The Doris Tate Crime Victims Bureau and other victim groups frequently offer testimony supporting expanded youth incarceration.

Statewide Juvenile Justice and Community-Based Advocacy Groups. A variety of local and state organizations may speak out on juvenile justice policy and juvenile facility construction matters. These groups include the California Public Defenders Association, California Attorneys for Criminal Justice, the Commonwealth Juvenile Justice Program, and the Youth Law Center. Other respected advocacy organizations having a pro-youth stance and some voice in the making of policy in Sacramento include the California League of Women Voters, the Children’s Advocacy Institute, Children NOW, and the San Francisco–based Center for Juvenile and Criminal Justice.

Local Community-Based Organizations. Local groups are occasionally very influential in the development of juvenile crime prevention and alternative-to-custody programs. Community-based organizations are nearly always represented on the local Juvenile Justice Coordinating Councils that plan and draft grant applications submitted to the state Board of Corrections under the state’s new Schiff-Cardenas Crime Prevention Act grant program.

APPENDIX II.

Data Resources For Analyzing Juvenile Corrections Space In California

Until recently, data resources related to California's juvenile justice system were fragmented and uneven. The California Department of Justice was directed in 1990 to stop collecting aggregate juvenile probation and juvenile court caseload data from counties because it was believed to be too costly. The only uniform, statewide juvenile justice information collected and reported between 1990 and 2000 was the juvenile arrest data published by the state Department of Justice each year as a component of the annual "Criminal Justice Profile" report. For a decade, juvenile justice policy and spending decisions in California were fashioned in the absence of reliable data on probation and court caseloads.

In 1995–96, a state Task Force on Juvenile Crime and the Juvenile Justice Response, consisting of policymakers and juvenile justice professionals, recommended that the juvenile data tasks abandoned by the state in 1990 be reinstated. The Task Force also recommended that California "fund, develop and implement a comprehensive, statewide, offender-based juvenile justice data system."⁷ These recommendations were partially implemented by new legislation that required the state Department of Justice to report juvenile justice information collected from county probation departments and juvenile courts (AB 488, Stats. of 1995, Chapter 803). Full implementation, however, was delayed while the attorney general's Criminal Statistics

branch worked with county governments to reconfigure the Juvenile Court and Probation Statistical System.⁸

The research division of the California Youth Authority (CYA) has traditionally produced solid, detailed reports on its own institutional and parole populations. Until 1995, CYA also published annual reports on county juvenile halls, camps, and ranches and minors in adult jails. These reports included detailed information on the rated capacity, average daily population, and crowding in county-operated juvenile facilities. In 1995, regulation and oversight of juvenile halls, camps, and ranches were transferred to another state agency, the Board of Corrections (BOC). The Youth Authority continued to collect population information on county juvenile facilities, but did not publish statewide reports for any calendar year beyond 1993. Meanwhile, BOC designed its own forms and methods for the retrieval and display of aggregate information on county juvenile facilities. County juvenile facility population information was first assembled and published by BOC for calendar year 1999. The Board also decided to post its juvenile facility population reports on the Internet (<http://www.bdcrr.ca.gov>).

As of 2001, no state agency in California was mandated to collect county-level data on minors processed and sentenced in the adult court system. Changes in the volume or flow of minors to adult courts may affect juvenile facil-

⁷ The Final Report of the California Task Force to Review Juvenile Crime and the Juvenile Justice Response (CYA 1996a) is itself a comprehensive overview of how the juvenile justice system works in California, including an analysis of historical factors and critical issues related to the juvenile justice system, with relevant figures on state and local juvenile facility populations through calendar year 1994. The report was staffed and published by the Youth Authority.

⁸ The Juvenile Court and Probation Statistical System (JCPSS) is an offender-based data reporting system. Uniform court and probation caseload data are entered by county probation departments on disks that are sent to the Department of Justice for integration into the JCPSS statewide database. The Department of Justice anticipated that it would be able to produce the first statewide profile containing juvenile probation and court information for calendar year 2001 sometime in 2002.

ity space needs in several ways. For example, minors tried as adults often spend up to six times longer in pretrial detention than minors who are processed through the juvenile court system. Longer stays in detention are likely to increase demands for confinement space. Proposition 21, adopted by California voters in March 2000, broadened prosecutor powers to file juvenile cases directly in adult courts, and the initiative made other law changes that are likely to increase local demand for detention space. To generate new information on the prosecution of minors in adult court, the California legislature passed Senate Bill 314 in 2001, a measure requiring the Department of Justice to track these cases from filing through sentencing outcome in the adult system.

Proposition 21 imposed specific new juvenile justice data reporting requirements on county agencies and on the state Department of Justice. These requirements ensured that serious and violent juvenile offenders would be tracked in order to facilitate apprehension. Under Proposition 21, all county juvenile courts were required to report the complete criminal histories of each minor adjudicated for a felony offense to the Department of Justice, and DOJ must make this information available to requesting law enforcement agencies.

Some large private juvenile and criminal justice research organizations have worked with the federal Office of Juvenile Justice and Delinquency Prevention (OJJDP) to organize and publish data on state juvenile detention and corrections facilities. Starting in 1997, the “Census of Juveniles in Residential Placement” (CJRP) replaced the OJJDP-sponsored “Children in Custody” biannual reports on admissions and one-day-counts of juveniles under delinquency jurisdiction in state and local facilities. Facility-based and individual case-based data for CJRP are collected by the U.S. Census Bureau and processed at the National Center for Juvenile Justice Center in Pittsburgh, under contract with OJJDP. California facility data will be included in these reports.

The most important sources of data on juvenile justice information in California include the following:

California State Department of Finance is the principal source in California for population data needed for projections of juvenile facility space needs (<http://www.dof.ca.gov>).

California Legislative Analyst’s Office (LAO) is the assessment and research arm of the California legislature. Many of the juvenile justice grant programs and spending proposals supported by the legislature in recent years were planned with the input of the legislative analyst. Each year, LAO publishes a detailed budget analysis including a section on judiciary and criminal justice, which reviews adult and juvenile corrections issues, including an analysis of proposed facility construction and cost-effective alternatives to incarceration (<http://www.lao.ca.gov>).

California Department of Justice (DOJ) publishes data on juvenile arrests and law enforcement dispositions based on aggregate reports from law enforcement agencies. DOJ is also revamping the Juvenile Court and Probation Statistical System. When operational, this offender-based information system will make it possible to provide detailed county and state reports on juvenile probation and court caseloads—information that has not been available in California for more than a decade (<http://www.caag.state.ca.us/cjsc>).

California Department of the Youth Authority (CYA) has an extensive research division that publishes data and detailed reports on juvenile institutions and populations. The CYA furnishes the state legislature with an annual “population management and facilities master plan” that includes five-year population projections and descriptions of program and housing needs (<http://www.cya.ca.gov>).

State Board of Corrections (BOC) is composed of 13 gubernatorial appointees largely representing

adult law enforcement, jail, and corrections officials, with some juvenile justice representation. The state legislature transferred oversight of county-level juvenile justice facilities to the BOC in 1996. By the following year, the BOC promulgated its own, revised standards for county-level juvenile justice facilities (juvenile halls, camps, and ranches) and for jails and lockups holding juveniles under limited circumstances permitted by state law. In 1999, the Board started collecting county-level data on juvenile halls, camps, and ranches. Currently, each county juvenile detention, camp, and ranch facility operator (i.e., probation department) is required to make monthly and supplemental quarterly reports to the Board of Corrections. These reports include aggregate counts of detained and committed populations. The quarterly surveys augment monthly reports with additional, aggregate information about the case status of minors (e.g., under adult jurisdiction) and about detainee behavior (e.g., assaults, escapes). The BOC is also responsible for distribution of state and federal juvenile facility construction grant funds to local governments in California and reviews applications for county-level construction projects. These county applications are required by law to include population projections for the proposed facility, as well as an analysis of programs and alternatives to confinement serving

the facility target population. In fact, state law requires all counties proposing to build new juvenile justice facilities, whether state funded or not, to provide this information to the BOC (<http://www.bdcorr.ca.gov>).

California Department of Social Services (DSS) maintains data on the number and characteristics of juveniles in private residential care facilities funded through the foster care system. While most of California's foster care caseload of nearly 100,000 children consists of minors under the dependency jurisdiction of the court, DSS publishes monthly reports on approximately 6,000 children who are in placement after adjudication for non-criminal status offenders or delinquency charges (<http://www.dss.cahwnet.gov>).

County-level information systems may provide other information related to juvenile facility needs, including those of probation departments, juvenile courts, and law enforcement agencies. As of 2001, all counties had upgraded local data systems to conform to the Juvenile Court and Probation Statistical System . However, the JCPSS does not include all data needed for the analysis of local facility needs. For example, it does not include local facility population information. To obtain specific facility-related data elements, one would have to request special analyses from each county information system.